

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

ANTHONY LEVINE LONON, JR.,)

Plaintiff,)

v.)

Case No. CV412-216

KATHERIN NORRIS, *FOIA Officer*)

for Centers for Disease Control, and)

BEVERLY WALKER *Privacy Act*)

Coordinator for Centers for Disease)

Control,)

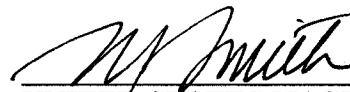
Defendants.)

AMENDED ORDER

The Court previously ordered plaintiff Anthony Levine Lonon, Jr. to explain whether his case was moot, and it advised him that he could not seek damages for his Freedom of Information Act claim. (Doc. 3.) He responded that the case is not moot, explaining that he has yet to receive the requested medical records and has withdrawn his request for damages, thus leaving the injunctive relief portion of his case pending. (Doc. 4.) He has also offered additional information showing that he is unable to pay the Court's filing fee. (*Id.*) Lonon's motion to proceed *in*

forma pauperis (doc. 2) is **GRANTED**, and the Clerk is **DIRECTED** to forward his complaint (doc. 1), response (doc. 4), and this Order to the Marshal for service upon defendants in accordance with Fed. R. Civ. P. 4(c)(3) and 4(i).¹ The Clerk is **DIRECTED** to re-serve the U.S. Marshal with a copy of this Order only.

SO ORDERED this 4th day of September, 2013.



UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA

¹ In that Lonon seeks only injunctive relief, the Court construes his complaint against the named defendants in their official capacity only, which makes this an action against the United States. The Marshal therefore must

(A)(i) deliver a copy of the summons and of the complaint to the United States attorney for the district where the action is brought -- or to an assistant United States attorney or clerical employee whom the United States attorney designates in a writing filed with the court clerk -- or

(ii) send a copy of each by registered or certified mail to the civil-process clerk at the United States attorney's office;

(B) send a copy of each by registered or certified mail to the Attorney General of the United States at Washington, D.C. . . .

Fed. R. Civ. P. 4(i)A) & (B). And, since two different U.S. Government agencies are pursued, the Marshal must "serve the United States *and also* send a copy of the summons and of the complaint by registered or certified mail to [each] *agency*. . . .").